IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1670 OF 2004

Hemal Veniklal Dedhia .. Petitioner.

V/s.

The State of Mah. & Anr. .. Respondents.

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Mr. S.V. Shirsat for the Petitioner.
Mr. K.V. Saste, APP for Respondents.

CORAM : A.S. AGUIAR, J.
DATED : 25.08.2004.

PC:-

Rule. By consent, Rule returnable forthwith.

Heard the learned Advocate for the Petitioner and learned APP for the Respondents.

In this petition, the petitioner challenges the show cause notice issued under section 111 of the Cr.P.C. in respect of proceedings under section 107 of Cr.P.C. on an apprehension of breach of the peace. It is pointed by the learned Advocate for the Petitioner that the proceedings have been initiated on the basis of an alleged incident, which took place more

than six months prior to issuance of the notice. It is pointed out that the said incident is in respect of a demand made by the petitioner on the complainant by way of extortion. I fail to see any connection with the alleged incident and the apprehended breach of peace. The notice, on the face of it, is not sustainable and hence quashed.

Petition allowed in terms of prayer clause (b). Rule made absolute accordingly.

With the above order, petition stands disposed of.

Parties be supplied authenticated copy of this order.

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